

FILED



2:27 pm, 7/26/21

U.S. Magistrate Judge

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF WYOMING

UNITED STATES OF AMERICA

vs

THEODORE EUGENE GARLAND

Case Number: 0:20-CR-00173-MLC-1

Defendant's Attorney(s):

Alex Freeburg

*AMENDED JUDGMENT IN A CRIMINAL CASE

THE DEFENDANT was found guilty on counts 1, 3, 5, 9, 12, 13 and 15 after pleas of not guilty.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
36 CFR § 1.5(f)	Unlawfully violate a closure, designation use and activity restriction and condition, schedule of visiting hours, and public use limit	06/04/2020	1
36 CFR§ 1.6(g)(2)	Unlawfully violate a term or condition of a permit issued pursuant to this section	06/25/2020	3
36 CFR§ 7.130	Unlawfully did not confine foot travel in a thermal area within the Yellowstone Canyon between the Upper Falls and Inspiration Point to boardwalks or trails that are maintained for such travel and marked by official signs	06/22/2018	5
36 CFR§ 7.130	Unlawfully did not confine foot travel in a thermal area within the Yellowstone Canyon between the Upper Falls and Inspiration Point to boardwalks or trails that are maintained for	06/17/2020	9

	such travel and marked by official signs		
36 CFR§ 1.5(f)	Unlawfully violate a closure, designation use and activity restriction and condition, schedule of visiting hours, and public use limit	06/04/2020	12
36 CFR § 2.1(a)(1)(iv)	36 CFR § 2.1(a)(1)(iv) (Did unlawfully possess, destroy, injure, deface, remove, dig and disturb from its natural state a mineral resource or cave formation and the parts thereof	06/25/2020	13
36 CFR § 1.6(g)(1)	Unlawfully engaged in an activity subject to a permit requirement imposed pursuant to this section without obtaining a permit	07/30/2020	15

The defendant is sentenced as provided in pages 3 through 7 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has been found not guilty on counts 2, 4, 6, 7, 8, 10, 11, 14 and is discharged as to such counts.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of residence or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's USM No: N/A

July 2, 2021

Date of Imposition of Sentence

Mark L. Carman

United States Magistrate Judge

7-26-21
Date

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 7 days to complete by 11/01/2021.

The defendant shall surrender to the United States Marshal for this district as notified by the Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____, with a certified copy of this Judgment.

United States Marshal/Bureau of Prisons

By: _____
Authorized Agent

PROBATION

The defendant is hereby placed on unsupervised probation for a term of five years.

The defendant shall not commit another federal, state or local crime.

The defendant shall not illegally possess a controlled substance.

The defendant is ban from Yellowstone National Park until 12/31/2021.

The defendant shall write an introduction/forward to the guide book that communicates a respect of the park. This shall be submitted to the Court by 07/16/2021. Upon Judge Carman's approval, the forward/introduction shall be inserted into all copies of the book.

The defendant shall review his guide book to ensure there are no areas of the book that could be read to encourage illegal activity. The defendant shall then submit the revised book to the Court and United States Attorney's Office by 07/16/2021.

The defendant shall not promote violations of laws in the Parks in any way.

The defendant shall pay all financial obligations, in full by 11/01/2021.

The defendant shall contact the United States Marshals Service to discuss his jail sentence within 30 days of sentencing. The defendant shall choose a surrender date within 60 days of sentencing and notify the Marshals Service of that date. Mammoth Office- Travis Mangum- 406/223/2004, Cheyenne Office- 307/829/3710.

FINANCIAL PENALTIES

The defendant shall pay the following total financial penalties in accordance with the schedule of payments set out below.

Count	Assessment	Processing Fee	Fine	Community Service
1	\$10.00	\$30.00	\$100.00	\$500.00
Notes:				
3	\$10.00		\$50.00	
Notes:				
5	\$10.00		\$100.00	
Notes:				
9	\$10.00		\$100.00	
Notes:				
12	\$10.00		\$100.00	
Notes:				
13	\$10.00		\$0.00	
Notes:				
15	\$10.00		\$50.00	
Notes:				
Totals:	\$70.00	\$30.00	\$500.00	\$500.00

The fine and/or restitution includes any costs of incarceration and/or supervision. The fine and/or restitution, which is due immediately, is inclusive of all penalties and interest, if applicable.

The defendant shall pay interest on any fine and/or restitution of more than Two Thousand Five Hundred Dollars (\$2,500.00), unless the fine and/or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the below payment options are subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

COMMUNITY RESTITUTION

The defendant shall make restitution to the following persons in the following amounts:

Name of Payee	Amount of Restitution
Yellowstone Park Foundation Geological Protection Fund Mailed to U.S. Attorney's Office Attn: Financial Litigation Unit P.O. Box 668 Cheyenne, WY 82003	\$500.00

THIS IS COMMUNITY RESTITUTION

SCHEDULE OF PAYMENTS

Payments shall be applied in the following order: (1) assessment; (2) community restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

The total fine and other monetary penalties shall be due in full by 11/01/2021.

IT IS ORDERED \$600.00 due in full not later than 11/01/2021. Payments for monetary obligations shall be made payable by cashier's check or money order to the Clerk of the U.S. District Court, 2120 Capitol Avenue, Room 2131, Cheyenne, Wyoming 82001 and shall reference the defendant's case number, 0:20-CR-00173-MLC-1.

\$500.00 community service payment due in full not later than 11/01/2021, payable to Yellowstone Park Foundation Geological Protection Fund, Mailed to U.S. Attorney's Office, Attn: Financial Litigation Unit, P.O. Box 668, Cheyenne, WY 82003,, and shall reference the defendant's case number 0:20-CR-00173-MLC-1.